

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
The Use of N11 Codes and Other) CC Docket No. 92-105
Abbreviated Dialing Arrangements)

**U S WEST, INC.'S SUPPORT OF
AMERITECH PETITION FOR CLARIFICATION**

U S WEST, Inc. ("U S WEST") hereby supports Ameritech's Petition for Clarification ("Ameritech") in the above-referenced proceeding with respect to the Federal Communications Commission's ("Commission") reference to the use of 411 dialing codes in the provision of "'traditional' directory assistance."¹ As Ameritech aptly demonstrates, the Commission's "adjunct to basic" categorization of services has always been premised on the "purpose served by the service, and not the geographic scope of the service or data involved."² Because the current record provides little insight into the state of current directory assistance services or their geographic scope,³ the Commission may be totally unaware of the fact that 411 is currently being used or planned to be used as a local access abbreviated dialing pattern for access to directory assistance generally, whether the number requested is local, metropolitan, regional or national.

¹ Ameritech Petition for Clarification, filed Mar. 28, 1997 at 11-12 and n.18, citing to n.170 in the Commission's First Report and Order and Further Notice of Proposed Rulemaking, in In the Matter of The Use of N11 Codes and Other Abbreviated Dialing Arrangements, CC Docket No. 92-105, FCC 97-51, rel. Feb. 19, 1997 ("N11 Order").

² Ameritech at 12.

³ Id. at 13, n.22.

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List A B C D E

The Commission has really not addressed directory assistance services in any great detail in the last fifteen years. Primarily, its discussion is found in the context of its NATA Centrex Orders⁴ and its Directory Reverse Search Orders.⁵ In the NATA Centrex Orders, the Commission found directory assistance services to be “adjunct to basic” because, despite the fact that they might otherwise meet the literal definition of an “enhanced service,” their facilitation of basic telecommunications services rendered them more appropriately regulated under the regime for basic telecommunications services. In particular, with respect to directory assistance services, the Commission held that the services “provide[] only that information about another subscriber’s telephone number which is necessary to allow use of the network to place a call to that other subscriber.”⁶ This finding is true regardless of the scope of the directory assistance service itself, *i.e.*, whether it be local, metropolitan, regional, national or international.

⁴ In the Matter of North American Telecommunications Association; Petition for Declaratory Ruling Under Section 64.702 of the Commission’s Rules Regarding the Integration of Centrex, Enhanced Services, and Customer Premises Equipment, Memorandum Opinion and Order, 101 FCC 2d 349 (1985) (“NATA Centrex Order”); In the Matter of North American Telecommunications Association; Petition for Declaratory Ruling Under Section 64.702 of the Commission’s Rules Regarding the Integration of Centrex, Enhanced Services, and Customer Premises Equipment, Memorandum Opinion and Order, 3 FCC Rcd. 4385 (1988) (“NATA Centrex Order II”) (collectively “NATA Centrex Orders”).

⁵ In the Matter of US West Communications, Inc. Petition for Computer III Waiver Order, 11 FCC Rcd. 1195 (1995) (“Directory Reverse Search Order”); In the Matter of US West Communications, Inc. Petition for Computer III Waiver; BellSouth Petition for Waiver of Computer III Rules for Reverse Search Capability; Southwestern Bell Telephone Company Petition for Waiver of Computer III Rules for Reverse Search Capability, Memorandum Opinion and Order on Reconsideration, 11 FCC Rcd. 7997 (1996) (“Directory Reverse Search Reconsideration Order”) (collectively “Directory Reverse Search Orders”).

⁶ NATA Centrex Order, 101 FCC 2d at 360 ¶ 26.

While the directory assistance services the Commission might have been referencing in its 1985 and 1988 NATA Centrex Orders may have been geographically confined to the release of only certain information, such is no longer the case. For example, 411, while it operates in a number of jurisdictions and geographies as the local access to directory assistance, either allows or is being planned to allow callers wishing to place calls to receive directory numbers of individuals around the block or across the country. In either case, providing the caller with the desired telephone number “[is] intended to facilitate the use of traditional telephone service,”⁷ “facilitate[s] the customer’s use of the basic transmission channel[,]”⁸ and does “not alter the fundamental character of telephone service.”⁹ The “placement of a telephone call would typically be the immediate next step[,]”¹⁰ subsequent to the receipt of the desired information. In this regard, access to directory assistance (whether it be a local or national service)

⁷ Directory Reverse Search Order, 11 FCC Rcd. at 1199 ¶ 27, citing to NATA Centrex Order, 101 FCC 2d at 359-61 ¶¶ 23-28. See also Directory Reverse Search Reconsideration Order, 11 FCC Rcd. at 8003 ¶ 12.

⁸ Ameritech at 13, quoting from In the Matter of Rules and Policies Regarding Calling Number Identification Service -- Caller ID, Memorandum Opinion and Order on Reconsideration, Second Report and Order and Third Notice of Proposed Rulemaking, 10 FCC Rcd. 11700, 11747 n.188 (1995).

⁹ Directory Reverse Search Order, 11 FCC Rcd. at 1199 ¶ 27, citing to NATA Centrex Order, 101 FCC 2d at 359-61 ¶¶ 23-28.

¹⁰ Id. at 1199-1200 ¶ 30. With respect to this matter of “immediacy,” while such is presumed with respect to traditional directory assistance offerings, U S WEST does agree with BellSouth (as it presented its arguments with respect to reverse search offerings (See BellSouth Telecommunications, Inc.’s Comments in Support of Ameritech’s Petition for Limited Reconsideration, CC Docket No. 90-623, filed Jan. 11, 1996 at 1-4)), that the absence of immediacy in placing a telephone call does not automatically deprive an offering that would otherwise be characterized as “adjunct

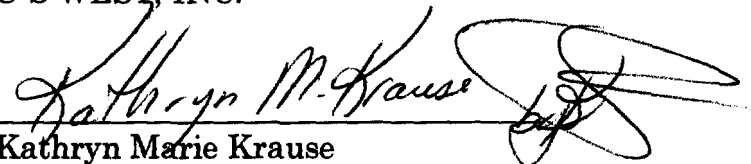
serves similar functions to other types of "adjunct to basic" services -- none of which is dependent on whether only local or non-local information is involved in the service's operation.¹¹

There is nothing in the analysis of the NATA Centrex Orders or the Directory Reverse Search Orders that would compromise the legality or integrity of a directory assistance offering so configured. For this reason, we support the Ameritech request that the Commission clarify its reference that 411 is a permissible abbreviated dialing mechanism to gain access to "local telephone numbers" and amend its earlier footnote to reflect that 411 can be used as a form of local access to telephone numbers generally, be they local or not.

Respectfully submitted,

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April 23, 1997

to basic" of that denomination. Directory Reverse Search Reconsideration Order, 11 FCC Rcd. at 8002 ¶ 8.

¹¹ Ameritech at 14 (noting that speed dialing, an "adjunct to basic" service, operates with respect to both local and non-local calls, as does call forwarding, as does certain Caller ID-based services).

CERTIFICATE OF SERVICE

I, Kelseau Powe, Jr., do hereby certify that on this 23rd day of April, 1997, I have caused a copy of the foregoing **U S WEST, INC.'S SUPPORT OF AMERITECH PETITION FOR CLARIFICATION** to be served via first-class U.S. Mail, postage-prepaid, upon the persons listed on the attached service list.



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